

Exh. O-

**BEFORE SHRI ABHJIT R SOLAPURE, PRESIDING OFFICER
AND JUDGE, FOURTH LABOUR COURT THANE.**

**Reference(IDA) No. 11/2021
(CNR No.MHLCO4000902021)**

**M/s. Bishan Dyeing Printing
& Weaving Mills & Ors.**

...1st Party

**V/s.
Shri. Ramchandra B. Patel**

...2nd Party

**ORDER BELOW EXH. U-5
(Passed on 22/07/2024)**

The second party has filed this application for directions to the first party to produce documents. Second party stated that, he was employed from 03/07/2010 with the first party. He wants to establish the same and requested the production of attendance cum wages register, leave register and income tax return from year 2010 to year 2019.

2. The first party objected the application and stated that, the second party was never employed and as such there are no employment relations. It is for the second party to prove the employment relations and that, he had completed 240 working days. The second party can not make fishing enquiry by such request and the application be rejected.

3. Heard both the parties.

4. The second party has filed statement of claim at Exh.U-4 and it has been contested by the first party by filing written statement at Exh.C-5. This Court has framed issues at Exh.O-4 and

now it is the responsibility of the second party to establish the employment, tenure and illegal termination. The second party by way of this application is expecting the first party to produce these registers to prove his case. Now, when the employment relations are challenged, a question arises as to how the second party can ask for these directions from this Court. The second party has to stand or fall on his own feet and can not go on fishing expeditions. Even otherwise the second party has not produced any document or evidence on record to show his employment with the first party. Having considered this, the application is frivolous. Hence, the order follows.

ORDER

Application is rejected.

**Date : 22/07/2024
Thane**

**(Abhijit R. Solapure)
Presiding Officer,
Fourth Labour Court, Thane**